respective immobilized antigens with the respective groups of antibodies to be typed; and

(f) typing the antibodies based on the determining step (e).

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~~49~~. The method of claim ~~48~~, wherein each immunologically active amino acid sequence consists of 9-20 amino acids from one of SEQ ID NOs: 11-16.--

REMARKS

Claims 11-28 are currently pending. In this Response, applicants cancel claims 11-28 and add new claims 29-49.

Applicants note that new claims 29-49 moot the objections and rejections under 35 U.S.C. §102 and 35 U.S.C. §112, second paragraph. These claims have rewritten the subject matter of claims 11, 13 and 17-28, currently under consideration.

Claim 28 is rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-5 of U.S. Patent No. 5,935,778.

This claim has been cancelled, therefore this rejection is now moot.

Applicants note that the Examiner has cited several references in prior art rejections of the claims previously pending. Applicants have cancelled the previous claims, and new claims 29-49 more distinctly claim the subject matter of the invention.

Claims 29-38 are directed to subject matter previously claimed in claims 11, 13 and 17-23. Claim 39 is a broad "method of detecting" claim which is based on original claim 24. Claim 45 is directed to the double antigen bridge test originally claimed in claim 26 and described in the paragraph bridging pages 13 and 14 of the specification. Finally, claim 38 is based on original claim 28. Dependent claims have been added, as appropriate.

New claim 29 is directed to a peptide suitable for detecting an antibody against hepatitis C virus. The peptide consists of an isolated immunologically active amino acid sequence from the hepatitis C virus consisting of 6-22 amino acids from one of SEQ ID NOs: 11-16. Optionally, an immunologically inactive spacer region and a solid phase binding group and/or marker group can be included on the peptide.

Applicants respectfully submit that the new claims sufficiently distinguish the present invention from the cited references. With the changes to the claims, applicants respectfully submit that this case is in condition for allowance.

In the event this paper is not timely filed, applicants hereby petition for an appropriate extension of time. The fee for this extension may be charged to our Deposit Account No. 01-2300, along with any other additional fees which may be required with respect to this paper.

Respectfully submitted,
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